

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
Nichole L. Simmons,) Case No. 21-70450-JAD
Debtor)
Chapter 13
Related to Docs. #15, 43 and 55

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: _____
- ☐ a motion to lift stay
as to creditor _____
- ☒ Other: Notice of Mortgage Payment Change filed November 1, 2024

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Chapter 13 Plan dated December 7, 2021
- ☐ Amended Chapter 13 Plan dated _____

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Debtor's Plan payments shall be changed from \$ 1,071.00 to \$ 1,082.00, effective December 2024; and/or the Plan term shall remain at 60 months per Order of Court Confirming Plan on Final Basis dated June 2, 2022.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: The Notice of Mortgage Payment Change dated November 1, 2024 is resolved per this Order. In addition, except with respect to the increased payment, the previously entered ORDER CONFIRMING PLAN ON FINAL BASIS at Doc No. 44 is incorporated herein.


IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 8th day of November, 2024

Dated: 11/8/2024



Jeffery A. Deller
United States Bankruptcy Judge

Stipulated by:

/s/ Kenneth P. Seitz, Esquire
Counsel to Debtor

Stipulated by:

/s/ James C. Warmbrodt, Esquire
Counsel to Chapter 13 Trustee

Stipulated by:

Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk

FILED
11/8/24 11:31 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Nichole L. Simmons
Debtor

Case No. 21-70450-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7
Date Rcvd: Nov 08, 2024

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 6

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 10, 2024:

| Recip ID | Recipient Name and Address |
|----------|--|
| db | + Nichole L. Simmons, 811 Conemaugh Avenue, Portage, PA 15946-1726 |
| 15434185 | + Fedloan, Attn: Bankruptcy, Po Box 60610, Harrisburg, PA 17106-0610 |

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|---|----------------------|---|
| cr | + Email/Text: ebnpeoples@grblaw.com | Nov 08 2024 23:32:00 | Peoples Natural Gas Company LLC, GRB Law, Frick Building, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101 |
| 15435766 | Email/Text: G06041@att.com | Nov 08 2024 23:33:00 | Directv, LLC, by American InfoSource as agent, PO Box 5072, Carol Stream, IL 60197-5072 |
| 15434186 | + Email/Text: nsm_bk_notices@mrcooper.com | Nov 08 2024 23:32:00 | Mr. Cooper, Attn: Bankruptcy, Po Box 619098, Dallas, TX 75261-9098 |
| 15448998 | + Email/Text: nsm_bk_notices@mrcooper.com | Nov 08 2024 23:32:00 | Nationstar Mortgage LLC d/b/a Mr. Cooper, Bankruptcy Department, PO Box 619096, Dallas, TX 75261-9096 |

TOTAL: 4

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address |
|----------|---------------|--|
| cr | | NATIONSTAR MORTGAGE LLC |
| cr | | Nationstar Mortgage LLC D/B/A MR. Cooper |

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 10, 2024

Signature: /s/Gustava Winters

District/off: 0315-7

User: auto

Page 2 of 2

Date Rcvd: Nov 08, 2024

Form ID: pdf900

Total Noticed: 6

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 8, 2024 at the address(es) listed below:

| Name | Email Address |
|-------------------------------------|--|
| Denise Carlon | on behalf of Creditor Nationstar Mortgage LLC D/B/A MR. Cooper dcarlon@kmlawgroup.com |
| Kenneth P. Seitz | on behalf of Debtor Nichole L. Simmons thedebterasers@aol.com |
| Mario J. Hanyon | on behalf of Creditor Nationstar Mortgage LLC D/B/A MR. Cooper wbecf@brockandscott.com mario.hanyon@brockandscott.com |
| Office of the United States Trustee | ustpregion03.pi.ecf@usdoj.gov |
| Ronda J. Winnecour | cmecf@chapter13trusteewdpa.com |
| S. James Wallace | on behalf of Creditor Peoples Natural Gas Company LLC ccfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com |

TOTAL: 6